

[REDACTED]  
[REDACTED]  
[REDACTED]  
**Your Reference:**

**Our Ref: Fol 2366 and Fol 2555**

Date: 10 July 2012

Dear Mr Bateman,

Thank you for your further Freedom of Information requests.

On 12 June you asked:

*I have been supplied with a copy of an email sent on 19<sup>th</sup> March at 14.23 from DWP Minister for Employment to the Ministry of Justice (please see FOI 1751).*

*Please send me any other information DWP has about the video on You Tube about Employment and Support Allowance appeals , including any notes of discussions involving DWP staff or Ministers.*

And on 28 June 2012 you asked:

*Please send me copies of any information including mails about the MOJ's video about Employment and Support Allowance appeals on You Tube between March 2012 and date you release the information to me.*

*In particular, any information from June 2012.*

These two requests are very similar and overlap so we have combined them for simplicity.

The information that falls within the scope of your requests is attached at **Annex A:**

- a letter from the Ministry of Justice to the Minister for Employment dated 5 April 2012; and
- two related email dialogues.

We have removed the names of non-senior civil servants who are not in public facing roles in the normal way (section 40(2) of the Freedom of Action Act).

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

A black rectangular box redacting the signature of the sender.

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**Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF [www.ico.gov.uk](http://www.ico.gov.uk)



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The Rt Hon Chris Grayling MP  
Department for Work and Pensions  
Caxton House  
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Our ref: 323869

5 April 2012

#### SSCS INFORMATION FILM

Thank you for raising your thoughts about the recently issued SSCS information film with me. Educational films such as these play an important role in increasing the understanding of appellants and their representatives about what to expect from the Tribunal dealing with their appeal. Ensuring appellants are properly prepared means that hearings are more likely to run smoothly and efficiently. This approach has proved successful in relation to a number of tribunals and, given the volume of social security appeals, is particularly important here.

I have however noted, and share, your concerns about some aspects of the film's content and I have asked my officials to make some changes to ensure that it fits with the overall policy aims of both Departments.

I have asked for the film to be revised to reflect the fact that the claimant will have had the chance to talk to somebody before the appeal and to use the term 'medical assessment' instead of 'medical examination'; make clear that all relevant information should be sent to the tribunal well in advance rather than brought on the day; make it clear that DWP has the right to send someone to the tribunal; and to remove the references to appeals being twice as likely to succeed if the claimant turns up in person. I have also asked officials to review the portrayal of the role of the appellant's supporter.

I hope that this addresses your concerns and I have asked that the script is discussed with DWP officials before changes are made.

JONATHAN DJANOGLY

-----Original Message-----

**From:**  
**Sent:** 27 March 2012 09:37  
**To:** Minister for Employment;  
**Cc:**  
**Subject:** RE: Youtube video about appeals

Hi

Not yet. My team are happy to take this forward by approaching them. Can you tell me who you dealt with when you spoke to them last week?

Kind regards

-----Original Message-----

**From:** Minister for Employment  
**Sent:** 26 March 2012 12:23  
**To:** Minister for Employment;  
**Cc:**  
**Subject:** RE: Youtube video about appeals

Have officials from MoJ been in contact about the issues raised and do we know whether they are changing it?

The Secretary of State has now seen the video and shares the Department's concerns.

Thanks

-----Original Message-----

**From:** Minister for Employment  
**Sent:** 19 March 2012 17:03  
**To:**  
**Cc:**  
**Subject:** RE: Youtube video about appeals

I think for the moment we should wait to see what comments they come back with. Following that we can decide what the next steps need to be. It could be helpful if we were able to pull together a more precise list of concerns about the video, noting times, etc. although it may be that we feel the whole tone of the video is wrong and could not be fixed.

-----Original Message-----

**From:**  
**Sent:** 19 March 2012 16:40  
**To:** Minister for Employment;  
**Cc:**  
**Subject:** Re: Youtube video about appeals

Thanks. This is very good news. I think you've picked up the key issues perfectly - and there were a lot to pick up!

How do you want to play it from here? Are you looking for further input from us - a meeting with MoJ? We would need to get DWP comms involved I think.

We are ready to support in any way we can.

- well done for picking up on this.

Kind regards

**From:** Minister for Employment  
**Sent:** Monday, March 19, 2012 04:33 PM  
**To:**  
**Cc:** Minister for Employment  
**Subject:** FW: Youtube video about appeals

Both,

For info, the offending video has been taken down temporarily while they look at our concerns. I raised the things that jumped out as wrong or negative, but there may be other things I've missed. Let me know if I need to add anything.

Thanks

-----Original Message-----

**From:**  
**Sent:** 19 March 2012 16:29  
**To:** Minister for Employment  
**Subject:** RE: Youtube video about appeals

Hi ,

Thanks for this. I believe the Minister has also raised this issue with .

I've spoken to the relevant policy team this end, and we've agreed that they should temporarily remove the video whilst they look into your points below. We'll come back to you with more substantive comments when they've had a chance to do so,

Many thanks,

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-----Original Message-----

**From:**  
**Sent:** 28 June 2012 10:56  
**To:**  
**Cc:**  
**Subject:** MOJ ESA Appeals You Tube Video

,

please see the attached email which a member of our team picked up this morning with regards to reinstatement of the You tube video around appealing ESA decisions.

has asked me to forward this on to you in case you weren't aware.

Our contacts in HMCTS have not informed us of this videos reinstatement and we have not been asked for any impacts. It appears to be relatively unchanged from the original video.

<http://www.youtube.com/watch?v=4L8EPHDjeqU> (external link)

Thank you

-----Original Message-----

**From:**

**Sent:** 28 June 2012 10:27

**To**

**Cc:**

**Subject:** MOJ ESA Appeals video on You tube

,

has been sent notification from one of the Benefit Message boards about the MOJ video being reinstated on you tube about appeals ESA decisions.

I've watched it and it doesn't appear to have been changed much at all,

it still mentions that;

- you will probably not have had opportunity to speak to anyone about your decision
- it's better to turn up as you are twice as many succesful if you turn up to the hearing
- get a letter from your doctor to send it to the tribunal
- you can prepare your appeal during months it takes to hear it
- towards end of video mentions again that Twice as many appeals are successful if you turn up
- Send any additional evidence to them as soon as you can (but doesn't mention DWP will look at the decision again if you do this
- The Jobcentre doesn't ususally send anyone to explain their decision to the tribunal hearing

Thought you would like to know,